

Teacher Guide for “The Stories Behind *Brown v. Board of Education*”



Brown v. Board Case Summary

The play recreates the five state cases that were combined into the U.S. Supreme Court case, *Brown v. Board of Education*. Although many believe the *Brown* case just involved Linda Brown and her school in Topeka, Kansas, *Brown v. Board* actually involved students from South Carolina, Delaware, Washington, D.C., and Virginia. These five cases were combined at the U.S. Supreme Court because all challenged the issue of segregation in schools based on the principle of “separate but equal.” Four cases based their argument on Fourteenth Amendment rights, while the D.C. case challenged on Fifth Amendment rights. The five cases are *Briggs v. Elliott* (South Carolina, 1948), *Belton v. Gebhart* (Delaware, 1951), *Davis v. County School Board of Prince Edward County* (Virginia, 1951), *Bolling v. Sharpe* (Washington, D.C., 1951), and *Brown v. Board of Education* (Kansas, 1951).

Sample of Related Indiana State Social Studies Standards

Standard 1 *History*

- United States History
- Civil Rights Movement

Standard 2 *Civics and Government*

- The United States Constitution
- Legal procedures
- Fifth Amendment
- Fourteenth Amendment
- The United States Supreme Court

Standard 5 *Individuals, Society, and Culture*

- Changing societal ideas about the rights of individuals

Related Indiana State Standards

Activities related to the case of *Brown v. Board* can easily be expanded to encompass standards from multiples subject areas other than social studies. A few examples are provided below.

Math:

Standard 7 Problem Solving

- How far is it from Washington, D.C. (location of U.S. Supreme Court) to:
 - Clarendon County, South Carolina (location of *Briggs v. Elliott*)
 - Claymont, Delaware (location of *Belton v. Gebhart*)
 - Prince Edward County, Virginia (location of *Davis v. County School Board...*)
 - Topeka, Kansas (location of *Brown v. Board*)
- How long would it have taken Linda Brown to get to Washington, D.C. if she was traveling by a train going approximately 35 mph?
- How long would it have taken Linda Brown to get to Washington, D.C. if she was traveling by a commercial airplane going approximately 400 mph?

English/Language Arts:

Standard 1 Reading

- Read through the *Brown* script with students. Read some of the resources related to the program found on the Courts in the Classroom *Brown v. Board* website:
<http://www.in.gov/judiciary/citc/lessons/brown-v-board/index.html>

Standard 4 and 5 Writing: Process and Application

- Have students write their own Supreme Court Decision regarding segregation in schools.
- Have students pretend they are a student that attends a segregated school. Have students write a newspaper article explaining why school segregation should be stopped.

Standard 7 Listening and Speaking

- Have students act out scenes from “The Stories Behind *Brown v. Board of Education*”
- Have students research one of the Supreme Court Justices or lawyers and share their findings with the class.

Vocabulary

Appeal: Appeal means to have a higher court review the ruling of a lower court. You only do this if you are not happy with the ruling of the lower court.

Due Process: Due process means that the government must treat all individuals fairly and justly by following certain procedures that limit the government's power and protect the life, liberty and property of the people.

Fifth Amendment: The Fifth Amendment provides that no person can be tried for the same crime twice, that no person has to be a witness against himself, and that no person can be tried for a serious crime without receiving written paperwork. It also includes basic property rights including due process.

Fourteenth Amendment: The Fourteenth Amendment provides a definition of what it means to be a citizen in the United States. It has clauses that relate to both due process and to equal protection. These clauses say that all persons in the state must be given these rights before any freedoms or property are taken away.

National Association for the Advancement of Colored People: The NAACP was founded in 1909 with the goal of helping blacks to reach equality. By the 1940s they were focusing a lot of energy into helping increase black students' educational equality, even if they had to sue for it.

Oral Argument: An oral argument is when the court asks the lawyers involved in the two sides of a case to appear in person before the court. The lawyers talk about why their side should win. The Court can then ask them questions about the case.

Plessy v. Ferguson: In the case of *Plessy v. Ferguson*, the United States Supreme Court ruled that it was legal to have separate facilities like schools, busses, and water fountains for blacks and whites, as long as the facilities were equal.

Segregation: Segregation means to separate people, often based on the color of their skin. In the U.S., blacks and whites were segregated, sometimes by law, into different schools, neighborhoods, and restaurants.

Key Figures in the Play

Chief Justice Earl Warren: Earl Warren was born in 1891. He served as the Governor of California for ten years before being chosen for the Supreme Court by President Eisenhower. The Warren Court decided several landmark cases including *Brown v. Board of Education* (1954), *Gideon v. Wainwright* (1963), and *Miranda v. Arizona* (1966). Warren also headed the Warren Commission, the investigation into the assassination of President John F. Kennedy. Warren retired from the Court in 1969 and died in 1974.

Justice Sherman Minton: Minton was born in 1890 in Floyd County, Indiana. Minton attended Indiana University and earned a law degree in Indianapolis. Minton worked in Paul McNutt's administration before being elected to the United States Senate in 1935. He was appointed to the Court of Appeals by Franklin Roosevelt in 1941 and was later appointed to the United States Supreme Court in 1949 by President Truman. Minton served on the Supreme Court until 1956; he died in 1965.

Justice Robert H. Jackson: Jackson was born in 1892 in Pennsylvania. He passed the New York Bar in 1913 and became a successful lawyer. Jackson was appointed to the position as U.S. Attorney General in 1940 and was appointed to the United States Supreme Court the following year. He took a leave of absence from the Court to serve as U.S. Chief of Counsel at the Nuremberg trials of Nazi war criminals. Jackson served on the Court until the time of his death in 1954.

Justice Felix Frankfurter: Frankfurter was born in 1882 in Austria. His family immigrated to the United States in 1894 and Frankfurter eventually graduated from Harvard Law School. He worked for the War

Department during World War I and became Solicitor General of the United States in 1933. President Franklin Roosevelt appointed Frankfurter to the Supreme Court in 1939. He retired in 1962 after suffering a stroke; he died in 1965.

Justice Hugo Black: Black was born in 1886 in rural Alabama. He first tried medical school, but his brother suggested he attend law school. He graduated from University of Alabama Law School in 1906. He joined the Army during World War I, but never left the United States for active duty. He served in the U.S. Senate from 1927 to 1937 when President Franklin Roosevelt appointed him to the Supreme Court. He served on the Court for thirty-four years until 1971 at the time of his death.

Thurgood Marshall: Thurgood Marshall was born in 1908 in Baltimore. An African American, he was the great-grandson of a slave. Marshall was denied admission to the University of Maryland Law School based on the color of his skin, however, he graduated first in his class from Howard University School of Law. He went to work for the NAACP as a lawyer and argued many successful civil rights cases before the Supreme Court. Marshall became the first African American appointed to the U.S. Supreme Court in 1967 and served until 1991. He died in 1993.

Robert Carter: Carter was born in 1917 in Florida and grew up in New Jersey. He graduated from Howard Law School in 1940 and Columbia University in 1941. Carter served in the Army Air Corps during World War II and then became a legal assistant to Thurgood Marshall at the NAACP. In 1956, he became the general counsel of the NAACP. Carter is widely recognized for his work on First Amendment rights. In 1972, President Nixon appointed Carter as District Court Judge in the Southern District of New York.

Spottswood W. Robinson III: Robinson was born in 1916 in Virginia. He received his law degree from Howard University Law School in 1939. He worked for the NAACP from 1948 to 1960. In 1964 he was appointed to the United States District Court for the District of Columbia. In 1966, President Lyndon Johnson appointed him to the U.S. Court of Appeals for the District of Columbia Circuit. In 1981, he was appointed Chief Judge of the District of Columbia Circuit Court. He was the first African American to fill all three of these judicial positions. Robinson died in 1998.

Actor Roles

Character Parts - speaking roles listed in order from most lines to least amount of lines

- Main Narrator (central role, provides pertinent details and information; suggest an adult)
- Chief Justice Warren (6 lines)
- Thurgood Marshall (6 lines)
- Delaware Reporter (5 lines)
- South Carolina Reporter (4 lines)
- D.C. Narrator (4 lines)
- J. Lindsay Almond, Jr. (4 lines)
- Virginia Narrator (4 lines)
- Kansas Reporter (3 lines)
- Delaware Narrator (3 lines)

- Justice Sherman Minton (3 lines)
- Justice Robert Jackson (3 lines)
- Justice Felix Frankfurter (3 lines)
- Justice Hugo L. Black (3 lines)
- Spottswood W. Robinson III (3 lines)
- Robert Carter (3 lines)
- H. Albert Young (3 lines)
- Mrs. Bulah (3 lines)
- Paul E. Wilson (2 lines)
- Virginia Reporter (2 lines)
- D.C. Reporter (2 lines)
- Gardner Bishop (2 lines)
- Kansas Narrator (2 lines)
- South Carolina Narrator (2 lines)
- Levi Pearson (2 lines)
- Harry Briggs (2 lines)
- Ethel Belton (2 lines)
- Brown Reporter (2 lines)
- Bailiff (2 lines)
- South Carolina Judge (1 line)
- South Carolina Judge Waring (1 line)
- Delaware Judge (1 line)
- Barbara Johns (1 line)
- Carrie Stokes (1 line)
- NAACP Lawyer (1 line)
- Virginia Judge (1 line)
- James Nabrit, Jr. (1 line)
- Oliver Brown (1 line)
- Linda Brown (1 line)
- Lucinda Todd (1 line)
- Kansas Judge (1 line)

Definition Students - a one line speaking role.

- Segregation
- NAACP
- Fourteenth Amendment Definition
- Due Process
- Fifth Amendment
- Appeal
- Oral Argument
- *Plessy v. Ferguson*
- Justice Harlan

Biography Students - a one line speaking role.

- Chief Justice Earl Warren
- Thurgood Marshall

Scene or Cue Card - a non-speaking role. Student will hold up sign or picture in place or bring to front of room and set on easel.

- "Applause" sign
- "Applause" sign
- "South Carolina 1948" sign
- "Delaware 1951" sign
- "Virginia 1951" sign
- "Washington, D.C. 1951" sign
- "Kansas 1951" sign
- "Washington, D.C." sign
- "1953" sign
- "1954" sign
- "U.S. Supreme Court" sign
- U.S. Supreme Court picture card

Props Needed for Play

- Robes for Judges
- Gavel and Blazer for Bailiff
- Hats for Reporters
- Hats and bowties for attorneys
- Scene, cue, and picture cards

Follow-up Questions/Activities

1. When did schools become desegregated in the United States? In Indiana? How did this come about?
2. Have students find information about prominent leaders of the Civil Rights Movement both in Indiana and in the United States.
3. If Linda Brown were a student today, what sorts of activities or movements do you think she would join? Why?
4. Discuss the possible attitudes about school segregation that citizens of Indiana held during the 1950s. Explain why a state's laws and the opinions of those living there can differ.